IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8525 OF 2005

Waman Pandurang Pawar . .. Petitioner.

vs.

Dattatraya Pandurang

Pawar & Ors. .. Respondents.

Mr. A. B. Avhad for petitioner.

CORAM : S.U. KAMDAR, J.

DATE : 20th December, 2005.

P.C.:

. The present petition challenges the order dated 31.3.2005 passed in RTS/Satara/710/2001 by the Commissioner. The said RTS Appeal was filed against the order of the Collector dividing the land pursuant to the partition decree.

2. In view of the finding of the Commissioner that all three parties have signed the possession paper and they have stated that the three sharers have accepted shares with their consent and understanding it is not open for the petitioner to challenge the said order. The learned counsel for the petitioner contends that the said signature is only for the purpose of inspection and not accepting the said division as made by the Collector. I am

not inclined to accept the said contention. The said contention is not borne out from any document on record. No document is even produced to show that there is any inspection. In that light of the matter, the present petition has no merit. The same is dismissed. No order as to costs.